

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

-----	X	
	:	Chapter 9
In re	:	
	:	Case No. 13-53846
CITY OF DETROIT, MICHIGAN,	:	
	:	Hon. Thomas J. Tucker
Debtor	:	
-----	X	

**CERTIFICATE OF NO RESPONSE TO THE CITY OF DETROIT’S OBJECTION TO
CLAIM NUMBER 302 FILED BY THOMAS AND LINDA SIMMONS**

(Docket No. 9830)

The undersigned certifies that on May 8, 2015, she caused the City of Detroit’s Objection to Claim Number 302 Filed by Thomas and Linda Simmons [Docket No. 9830] (the “Objection”) and a Notice of the Objection (the “Notice”) [Docket No. 9830], to be filed with the Court and served upon Thomas and Linda Simmons via Federal Express at the address listed therein (the “Claimants”). See Certificate of Service attached to the Objection [Docket No. 9830] and attached hereto as **Exhibit B**.

Pursuant to Rule 3007-1 of the Local Rules of the United States Bankruptcy Court for the Eastern District of Michigan (the “Local Rules”) and the Notice, the Claimants were required to file a response to the relief requested in the Objection, if any, on or before July 15, 2015. No response regarding the Objection was filed and served.

WHEREFORE, pursuant to Local Rule 3007-1(c), the undersigned respectfully requests that this Court enter an order in the form attached hereto as **Exhibit A**, granting the Objection.

4842-2322-6150.1

Dated: July 23, 2015
Detroit, Michigan

FOLEY & LARDNER LLP

/s/ Tamar N. Dolcourt

John A. Simon (P61866)

Tamar N. Dolcourt (P73425)

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EXHIBIT A

Proposed Order

4842-2322-6150.1

**IN THE UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

-----X	:	
	:	Chapter 9
In re	:	
	:	Case No. 13-53846
CITY OF DETROIT, MICHIGAN,	:	
	:	Hon. Thomas J. Tucker
Debtor	:	
-----X	:	

**ORDER GRANTING THE CITY OF DETROIT’S OBJECTION TO
CLAIM NUMBER 302 FILED BY THOMAS AND LINDA SIMMONS**

Upon the objection to Claim No. 302, dated May 8, 2015 (the “Objection”),¹ of the City of Detroit, Michigan (the “City”), seeking entry of an order reclassifying the incorrectly classified claim as described in the Objection, and it appearing that this Court has jurisdiction over the Objection pursuant to 28 U.S.C. §§ 157 and 1334; and the Court having found that this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2); and the Court having found that venue of this proceeding and the Objection in this District is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and it appearing that the relief requested in the Objection is in the best interests of the City, and its creditors; and due and proper notice of the Objection having been given as provided in the Objection; and it appearing that no other or further notice of the Objection need be given; and no response to the Objection having been filed; and the Court finding that the legal and factual bases set forth in the Objection establish just cause for the relief granted; and after due deliberation and good and sufficient cause appearing therefore;

¹ Capitalized terms used but not otherwise defined herein shall have the meaning ascribed to them in the Objection.

IT IS ORDERED that:

1. The Objection is granted as set forth herein.
2. Proof of Claim Number 302 is hereby reclassified as a general unsecured claim.
3. The City's claims agent is hereby authorized to update the claims register to reflect the relief granted in this Order.
4. The City is authorized to take all actions necessary to effectuate the relief granted pursuant to this Order in accordance with the Objection.
5. Nothing in the Objection or this Order prevents the City from further objecting to Claim No. 302 on grounds other than those asserted in the Objection.
6. Notice of the Objection as provided therein is good and sufficient notice of such objection, and the requirements of Bankruptcy Rule 3007(a) and the local rules of the Court are satisfied by such notice.

4842-2322-6150.1

EXHIBIT B

Certificates of Service

4842-2322-6150.1

CERTIFICATE OF SERVICE

I hereby certify that on May 8, 2015, I caused the *Debtor's Objection to Claim Number 302 Filed By Thomas and Linda Simmons* to be electronically filed with the Clerk of the Court using the ECF system, which sent notification of such filing to all ECF participants in this bankruptcy case. I hereby certify that a copy also was served via Federal Express to the following party:

Thomas and Linda Simmons
2020 Windsor Pl.
Fort Worth, TX 76110

Dated: May 8, 2015

FOLEY & LARDNER LLP

By: /s/ John A. Simon
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Jeffrey S. Kopp (P59485)
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